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ABSTRACT

This 3-year study examined the implementation of the Children Act in Wales, which deals with providing, coordinating, and regulating day care and related services for children under 8 years. Data were collected through interviews with key officers and representatives of child care organizations, a national survey of day care providers, and an analysis of local authority policy documents and government statistics on day care. Results indicated that there has been a substantial increase in independent day care services in the past 10 years, but access remains dependent on parents' ability to pay. Welsh medium preschools are widely available, and many child care providers introduce some Welsh language to children. Positive working relationships exist among service providers, but there has been less progress with joint service planning. Day care regulation has improved with few services closing. Welsh counties vary in resources allocated to day care regulation and inspection staff workloads. Results also suggest that although the Children Act has achieved some worthwhile improvements in day care services, its impact has been limited by continuing fragmentation and low priority of services for young children, and the lack of a national early childhood policy. Based on the results, recommendations were made in the areas of planning and development of services, regulation, support and training for providers, provision for children in need, interagency cooperation, and equal access to services. (Appendices list the national child care organizations consulted and publications related to the Children Act. Contains 17 references.) (KDFB)

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Young Children in Wales

An evaluation of the implementation of the Children Act 1989 for day care services

June Statham

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Young Children in Wales

An evaluation of the implementation of the Children Act 1989 for day care services

Final report of the Thomas Coram Research Unit research project for the Welsh Office

June Statham

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The research in Wales has benefitted from close links with the parallel study being carried out by the Thomas Coram Research Unit in England. I am very grateful for the support and encouragement of the co-directors of the English study, Peter Moss and Charlie Owen; the members of the project team Julie Bull, Claire Cameron and Mano Candappa; and the Director of TCRU, Professor Peter Aggleton.

June Statham

Newtown, Powys
January 1996

Summary

This report presents the findings of a study conducted by the Thomas Coram Research Unit into the implementation of the Children Act in Wales, focussing on day care and related services. It aims to provide an overview and evaluation of the progress local authorities had made with providing, coordinating and regulating services for children under eight before local government reorganisation, and offers a set of recommendations to be considered by managers of children's services in the unitary authorities.

The research draws on information collected between 1992 and 1995, from interviews with key officers and representatives of child care organisations in each county in Wales, a national survey of day care providers, and analysis of local authority policy documents and government statistics on day care. The findings are summarised below under the main themes of the report. The overall conclusion is that the Children Act has achieved some worthwhile and positive improvements in day care services, but its impact has been limited by the continuing fragmentation and low priority of early years services, and the lack of a national early childhood policy.

Providing services

- There has been a substantial increase in the number of independent day care services in Wales over the past decade, but access remains dependent on parents' ability to pay. The voluntary and private sectors are the main providers of day care facilities in Wales, with local authority services continuing to be offered to children in need.

- The Children Act has not led to any widespread shift of resources from child protection to family support, but has helped to focus attention on the potential role of day care services in supporting families, for instance through community childminding schemes.

- The first local authority reviews of day care under the Children Act have improved knowledge of services for children under eight and identified some areas needing expansion, such as day care for children under two, holiday and out-of-school services and uneven provision in rural districts. However few reviews contained action plans for how their recommendations could be taken forward, and the impetus created by the first reviews was in danger of being overshadowed by local government reorganisation and the production of general children's service delivery plans.

- Welsh medium pre-school provision is widely available through playgroups run by the *Mudiad Ysgolion Meithrin*, although there is no information on how far such provision is available to all parents who want it. About three quarters of day nurseries, half of English medium playgroups and a third of childminders introduce at least some Welsh to the children in their care.

Coordinating services

- There was widespread agreement in both statutory and independent sectors that the Children Act has encouraged the development of good working relationships between those involved with services for young children at a "grass roots" level, particularly through the duty to review day care services and through the establishment of early years forums and networks.

- Less progress has been made with joint strategic planning of services for children, and with developing shared policies and priorities for service delivery. No Welsh local authority had an integrated early years service.

- Voluntary childcare organisations have generally welcomed the Children Act and seen it as supporting their own attempts to raise standards among their members.They believe it has raised the profile of day care and focussed attention on important issues such as equal opportunities and the need for training. However concerns were expressed about their lack of a real say in planning and developing services, and the vulnerability of voluntary sector provision to budget cuts.

Regulating services

- Despite early fears, regulation has caused few day care services to close. In fact the new registration and inspection system introduced by the Children Act has raised the profile of day care resulting in a rise in applications in some authorities, especially from childminders. However day nurseries and services for school aged children are more critical of the effect of regulation on developing services.

- The Children Act has led to improvements in the regulation of day care services, including more frequent contact between social services and providers, clearer standards and greater consistency in applying them. Providers of day care services support the principle of regulation, and most think that it has been carried out in a fair and positive way.

- Some aspects of regulation have proved difficult for social services registration and inspection officers, including developing awareness and good practice in relation to equal opportunities, assessing "fitness" to care for young children, using legal procedures against unsatisfactory services, and offering sufficient support and training to help services raise their standards.

- There is a wide disparity between Welsh counties in the resources allocated to regulating day care services and the workloads of inspection staff. This has consequences both for staff morale and for the thoroughness of inspection. Most authorities are keeping up with statutory requirements to register and inspect services, but a minority are not, and most inspection officers believe that the

opportunity to visit services between annual inspections would improve the accuracy of assessments.

Support and Training

- The Children Act has focussed attention on the issue of training for day care providers, and led to better information about training needs and available courses. Local authorities are increasingly working in partnership with voluntary organisations and other agencies to develop training, but over half of day care services still report difficulties in finding or attending training courses.

- The lack of clear local authority policies on the support to which independent day care services should be entitled has meant that support and training are in many cases an optional extra, rather than an essential part of raising standards.

RECOMMENDATIONS

Planning and developing services

- Unitary authorities should develop a clear statement of policy on the provision of early years services, preferably owned by all the agencies concerned with young children.

- The Section 19 review is an important mechanism for planning services for children under eight and should be given reasonable priority, with adequate time and resources allocated to permit the widespread involvement of all groups concerned with young children.

- Elected members should be involved in setting the terms of reference for the review and overseeing the review process.

- The review reports should contain specific recommendations and say how these will be taken forward. These recommendations need to be incorporated into wider children's service plans.

Regulation

- Sufficient resources should be allocated to the regulation of day care to allow all services to be registered within the recommended time scales and inspected at least annually.

- As far as possible the workloads of inspection staff should allow for unannounced interim visits to all day care providers, which would permit more accurate assessment of standards and a check that any required changes have been carried out.

- Registration and inspection officers in different local authorities would benefit from opportunities to meet together, in order to share experience and good practice. Closer links with early years advisors and inspectors in education services would also be helpful, especially in the light of the proposed voucher scheme for four year-olds.

Support and training

- Ways should be found to extend the training and support offered to providers of day care services, especially through joint training initiatives that bring together the resources and expertise of different agencies and the voluntary sector.

- Training for day care providers needs to be continuous, because of the high turnover of staff; and affordable, because of the low incomes of many working in this field.

- Consideration should be given to the training needs of staff in private day nurseries.

Children in need

- Local authorities should monitor the use of independent day care services for children in need. This would be assisted by separating budgets for the provision of day care from those for general family support work under Section 17.

- Adequate support and training should be offered to services which take children placed and paid for by statutory agencies.

- Local authorities should recognise and value the role of day care services as a form of support to all families, and ensure that staff involved in regulating day care are not marginalised within social work teams.

Working together

- The development of early years/ children's forums should be encouraged at both unitary authority and local level, with a clear mechanism established for them to contribute to the planning of services for young children.

- Arrangements for joint working need to have the commitment and backing of senior managers and elected members if they are to be successful. Attention needs to be paid to developing trust and a shared language between representatives from different agencies.

- Partnerships with voluntary and private organisations can offer a cost effective and locally appropriate way of developing and supporting services, provided there is clarity over roles and expectations and some security of funding.

Equal opportunities

- There is a continuing need for training and support to raise awareness of equal opportunities and to promote good practice in this area, for both day care providers and local authority staff involved in registration and inspection.

- Local authorities need to explore ways of consulting with with any minority ethnic communities in their area and involving them in planning services for young children.

Introduction

This report presents the findings from a three year study undertaken by the Thomas Coram Research Unit (TCRU) for the Welsh Office, which has investigated how the parts of the Children Act 1989 relating to daycare and early years have been implemented across Wales. The research project has been linked to a parallel study carried out by TCRU in England, and a list of publications from both projects is given at the end of this report.

The Children Act came into force in October 1991, and represents a major piece of legislation which brings together many strands of public and private law affecting children up to the age of 18. A relatively small part of the Act deals with day care services for children under eight years, but these sections potentially affect more children than the rest of the Act put together.

This study focusses specifically on day care services. It was undertaken between 1992 and 1995, in all eight counties of Wales, and describes the situation as it stood at the end of 1994/early 1995. There will have been significant changes since then, as local authorities prepare for the transition to 22 new unitary authorities from April 1996. The aim of this report is to provide an overview of the progress local authorities had made with implementing the Act before moving into the new structure, and to identify key issues which need to be addressed by the new unitary authority managers in order to develop early years services that meet, or go beyond, the requirements of the Children Act.

Research design

The research project was designed in two stages. The first monitored how local authorities had set about implementing the Children Act for children under eight and was based largely on interviews with key officers and analysis of policy and other documents. The results have been presented in an earlier report (Statham 1993).The second stage aimed to evaluate progress in meeting the Act's objectives, taking into account the views of the voluntary sector and of individual day care providers, as well as the statutory services. Over three years the research drew on a wide range of information sources (Fig 1).

Structure of the Report

The Children Act gives local authorities both duties and powers with respect to services for children under eight. They have a duty to provide services for children in need, to coordinate provision made by different agencies, and to regulate day care services offered by the private and voluntary sectors. They also have a power to provide training and support to day care providers, and to promote services for all children, not just those "in

need". This report is structured around the key objectives underlying these duties and powers, and takes the form of answers to a series of questions related to each objective:

Q1 Is day care being offered to support children in need?

Q2 How far are early years services being developed for all children?

Q3 Are day care services available through the medium of Welsh?

Q4 Has the Section 19 day care review provided a good basis for planning services for children under eight?

Q5 How far are different agencies working together to develop services for young children?

Q6 Has an effective system been set up to regulate day care?

Q7 Is regulation helping to raise standards in day care?

Q8 How has the power to provide training and support been exercised?

Each chapter presents the main findings from the research and identifies examples of good practice. The final chapter assesses the overall impact of the Act for early years services, and makes recommendations to be considered by those responsible for developing services to young children in the new unitary authorities in Wales.

Fig 1

How the research was carried out

- Interviews with local authority officers concerned with services for children under eight, in late 1992/ early 1993 and again two years later. 60 officers were interviewed in the first stage, mostly from social services departments but also from education, leisure and chief executive's departments; and 12 key officers were interviewed again in Stage Two to provide an update on developments within each local authority.

- Interviews with managers and officers involved in registering and inspecting independent day care services, including heads of inspection units or senior officers responsible for policy on regulation, and 22 registration officers drawn from all authorities in Wales.

- Interviews with representatives of voluntary and private childcare organisations in each local authority, including special needs referral schemes and organisations concerned with school-aged care and children's play. 47 representatives were interviewed in total, and the views of smaller organisations obtained through attendance at Children and Family Forum meetings in most counties.

- Interviews (in person or by telephone) with national representatives of the major voluntary childcare organisations in Wales (Appendix 1)

- A survey of 200 day care providers (10 childminders, 10 playgroups and 5 private day nurseries in each county) randomly selected from the lists of registered providers held by social services and interviewed face to face during summer 1994.The full findings of this survey, including comparisons with a parallel survey in England, are presented in a separate report (Moss et al 1995).

- Analysis of policy documents and day care inspection reports

- A computerised database created at TCRU, from official statistics on levels and trends in day care provision.

1 Is day care being offered to support children in need?

The Children Act gives local authorities a specific duty for the first time to provide a range of services for children in need, which may include family centres and day care (including holiday and after school care) for both preschool and school aged children.

Definitions of children in need

How local authorities define being "in need" is important because it determines which children should be eligible to receive publicly funded services.The first stage of the research project showed that in Wales there had been fairly extensive multi-agency debate over the concept of need, and most authorities had agreed joint statements of values and principles which reflected a fairly broad definition of need. The report of the first stage concluded that "how these definitions of need has affected practice has yet to be seen...most of the effort had gone into debating issues and creating policy, rather than implementing it" (Statham 1993).

When social services policy officers were interviewed again in late 1994, these broad definitions of need had been maintained but most authorities had experienced difficulties in translating them into practice, and reported that most of their resources continued to be allocated to child protection at the expense of wider family support. This matches the findings of a more detailed study of children in need in Wales (Colton et al 1995), and of various studies in England (summarised in Department of Health 1995).

Providing day care for children in need

Local authorities can offer day care to children in need through their own nurseries or family centres, through partnership arrangements with voluntary and charitable organisations, or through paying for individual children to attend community services such as playgroups, childminders and private day nurseries. Wales has traditionally had low levels of directly provided day care, probably due to a combination of historical and cultural reasons and the fact that scattered rural populations may make centre-based services less viable. Of the eight pre-reorganisation counties, two had no family centres, day nurseries or playgroups of their own, and only one (an urban authority) had invested substantially in its own family centres.

The most common approach in Wales has been for local authorities to work with the independent sector to provide day care for children in need. The Children Act has reinforced this approach, rather than changed it. The Act has not made a radical difference to the use of day care for children in need, nor led to a widespread extension of services to a broader range of children, but local authorities reported a modest increase in some forms of provision:

- four of the eight counties had invested additional resources in developing family centres in partnership with voluntary organisations, mostly small scale initiatives or expansions of existing schemes rather than large new projects

- two other counties had increased the amount of outreach work undertaken by their family centres, although without increasing budgets.

- special needs referral schemes had received a small amount of additional funding in half of the authorities, in some cases enabling them to offer supported playgroup places for the first time to children with physical disabilities or other special needs, as well as to children with learning difficulties.

- contractual childminding schemes had been or were about to be set up in all Welsh authorities. Childminding service managers, employed by the National Child Minding Association with joint Welsh Office and social services funding, had often played a key role in such developments.

- the majority of authorities reported some increase in spending on sponsored places for children in community day care services, although precise figures were difficult to obtain because such budgets were generally held by district managers, and the money for day care was not always ring-fenced within general Section 17 budgets for family support.

- one authority had created a new children's services development budget, to fund pro-active schemes for children in areas of need.

Children's Services Development Budget

In 1994 Clwyd social services department established a children's services development budget of around a quarter of a million pounds, to make resources available for "initiatives that will strengthen services and opportunities for children in need in the county". The money could be bid for by voluntary or statutory organisations, including schools, social services staff, community associations and parents' groups. Grants were allocated to a wide range of projects, including special needs referral schemes, children's development projects, play schemes and childcare workers in refuges for battered women. The initiative is part of the county's response to the recommendations of the Audit Commission's "Seen but not Heard" report, which said more emphasis should be given to family support.

Most authorities had thus attempted to increase their use of day care to support children in need, although financial constraints meant that this for the most part involved small-scale, low cost initiatives which frequently fell short of what managers had initially hoped to achieve in response to the Children Act. This was reflected in a study by Swansea University of children in need (Colton et al 1995), which asked managers and social workers about the adequacy of different levels of services offered to support families. Day care and family centre provision were judged in the Swansea study to be among the least adequate in terms of levels of provision. The Children Act has however helped to focus attention on the potential role of day care services in supporting families, and led to increased interest among managers and policy makers in ways of working with the independent sector to

provide day care for children in need.This is discussed in more detail below.

Use of sponsored places in voluntary and private day care services

The guidelines accompanying the Children Act specifically mention the role of "facilities run by independent providers such as voluntary organisations or private firms and individuals" in helping the local authority to meet its duty to provide day care for children in need (Department of Health 1991, paragraph 3.7). Welsh Office statistics show that the number of children attending services in the private and voluntary sector who are paid for by the local authority has risen significantly over the last decade, and by 1992 more children in Wales were sponsored in independent services (1,223) than were provided with a local authority day care place (779 children). Most of these places are in playgroups, but childminders and private day nurseries are increasingly being used. Even so, the number of places is still very small; well under 1% of children under five are paid for in this way. Although the use of independent day care services for children in need is growing, it is still far from being a widely available form of family support.

The survey of day care providers carried out for this research project provided further information on the use of sponsored places (detailed figures are given in a separate report of the survey, Moss et al 1995). Over a half of the playgroups and day nurseries in the survey and nearly a quarter of the childminders said that they had at some time had a child placed and paid for by a social worker or health visitor, although this represented a relatively small and infrequent part of their daily work. More than half of this group had had no children referred in the previous twelve months, or only one child. The great majority of providers who had not had children sponsored in this way said that they would like to, and almost all who had taken such children were prepared to do so again.

Representatives of voluntary and private child care organisations were generally positive about the value of sponsored placements, especially organised initiatives such as community childminding schemes and special needs referral schemes, but also described a number of problems with the current situation. These included:

- recruiting suitable local childminders to take referred children in areas most in need of such a service
- getting adequate support from professionals such as educational psychologists, speech therapists and health visitors
- late or unreliable payment for sponsored children by the local authority
- increased demand from social workers for sponsored placements without a corresponding increase in resources. This had led to a number of strategies such as spreading existing provision more thinly, or sharing additional helpers between a number of sponsored children.

The research suggests that there is an untapped potential for providing family support through placing and paying for children in local community day care. Many providers are keen to work with the local authority to support children and families in need. However voluntary and private child care services frequently have limited access to training and resources, and it is important that statutory agencies take into account not only the needs of the children they are placing but also the needs of those they are asking to provide the service.

Community Childminding Scheme

A community childminding scheme has been running in West Glamorgan since 1989, and is used to provide support to families in stressful situations so that children can remain at home. Families offered the service are "matched" with a suitable childminder from a core group recruited and trained by the social services Development Officer who coordinates the scheme. These minders are offered an enhanced fee, and the department provides ongoing training including sessions on child protection, working with parents and managing difficult children. Community childminders may be expected to attend case conferences and planning meetings, and they keep daily records of the children in their care. They meet regularly as a group to share experiences, and are supported by regular visits and phone calls from their local social services Day Care Officer and the provision of any special equipment they may need. The strength of the scheme is seen as its ability to respond in a fast, flexible way to the needs of both children and parents, and to support families using local, non-stigmatising services.

Children with disabilities

The Children Act included children with disabilities as "children in need", who should be seen as children first and provided for within the children and family service rather than the service to people with disabilities. By the end of 1994 four of the eight Welsh authorities had integrated services for children with disabilities into their mainstream childcare service, at least in principle, although in practice difficulties were often reported with this transition, especially around provision for children with learning difficulties who had been separately funded under the All Wales Strategy for Mental Handicap. This represented progress from the first stage of the research, when only one authority had developed an integrated service.

At the time of the study, half of the authorities had produced joint registers of children with disabilities as required by the Children Act, but most of these reported problems with getting such registers up and running, to do with obtaining joint funding and resolving issues of confidentiality.

There was a common perception among local authority officers and representatives of child care organisations that the Children Act had raised awareness of the needs of children with disabilities, and the importance of considering them as "children first", but that work remained to be done to improve the delivery of services. Some progress had been made in making day care more available to children with disabilities through additional funding of sponsored places and referral schemes.

Summary

At present the use of day care for children in need is not accurately monitored, but the evidence suggests it remains a limited form of family support, offered to relatively few children and families.The Children Act does not appear to have led to any widespread shift of resources from child protection to family support, but there is a growing recognition of the support day care services can offer to children and families in need, and local authorities are beginning to explore ways of working with the voluntary and private sectors, for instance through the development of small scale family centres, community childminding and playgroup referral schemes.

2 How far are early years services being developed for all children?

Background

The Children Act does not give local authorities a duty to make sure early years services are available for all young children, only for those defined as "in need". Rather it has strengthened the role of the local authority as facilitator and enabler of universal day care services, which most undertook to some extent prior to the Act, for instance through providing grant aid to voluntary childcare organisations. The Children Act reinforced this enabling role, requiring local authorities to oversee and coordinate day care and related services, to provide information for users to improve their access to provision, and to "facilitate" the development of new services to fill identified gaps. In Wales, a particular requirement was to consider the availability of Welsh language day care facilities; this is examined more fully in the next chapter.

A subsequent government circular required local authorities to adopt a "flexible" approach to regulation which would not hinder the expansion of services in the private and voluntary sectors, on the basis that "the government sees a continued need for expansion in the range and scale of day care services" (Welsh Office 1993). Although extending provision to more children is clearly one aim of government policy, the inclusion of this as a power rather than a duty under the Children Act means that such expansion is likely to depend on other factors such as market forces, resulting in tensions between the different objectives of improving standards, expanding services, and ensuring that they are affordable by parents.

The Children Act has not been the only influence in recent years on the development of services for young children, which makes it difficult to assess the particular effect of the Act. Other factors which are likely to have had an impact on policies and levels of provision, or will do so in the near future, include:

- a rise in employment among women with preschool children, which has created an increased demand for childcare
- the availability of funds under specific government schemes to develop particular types of service, such as out-of-school provision
- a general trend in social policy towards a "mixed economy" of care, whereby local authorities purchase and oversee services rather than provide them directly
- the introduction of local management of schools, which has transferred many aspects of policy making (including on nursery education) to school governors.
- the government's proposed voucher scheme to subsidise preschool education for

four year olds, in both statutory and independent services, from April 1997.

This section of the report looks at trends in day care in Wales over the past ten years, and then considers how far local authorities have tried to act in an enabling way which would encourage the development of services, through their approach to regulation, the development of information services to help parents find and use day care, and the promotion of services in rural areas.

Trends in day care services

The annual statistics collected by the Welsh Office provide one source of evidence on the extent to which day care services have developed in Wales (Fig 2), although it is difficult to attribute any change to effects of the Children Act. The number of playgroups and day nurseries run directly by local councils has declined, although the statistics exclude family centres, which in many authorities are replacing day nurseries. Alongside this there has been an increase in all the main types of independent day care over the past decade, starting from a very low base. The number of playgroups increased by just over a third, to 1,225 registered groups in 1994, with some fluctuation of numbers within counties linked to changing policies on nursery education and entry to reception class. The number of childminders more than doubled between 1984 and 1994, with a dip in 1992 and 1993 probably reflecting the effect of re-registration under the Children Act, when many childminders who were no longer minding children were taken off the lists.In 1994, numbers began to rise again.

Fig 2 Trends in day care for children under 5 in Wales, 1985-94

Type of provision	Number of services, 1994	Places per 100 children 0-5	Change in number of services: 85-88	88-91	91-94
Playgroups	1225	13.4%	+11%	+5%	+12%
Childminders	3761	8.8%	+39%	+57%	-4%
Day nurseries	210	2.8%	+56%	+134%	+34%
All independent providers	5196	25%	+30%	+43%	+1%
Local authority provision	17	0.2%	+29%	-7%	-32%

Source Activities of Social Services Departments 1993-94, Welsh Office

The area of fastest expansion has been in day nurseries, which have increased five-fold

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from just 43 registered nurseries in all of Wales in 1985, to 210 in 1994. The greatest proportional increase in day nurseries was in the three year period *before* the Children Act came into force, from 1988-1991, when 90 new day nurseries were opened. This growth is slowing down but continuing; in the survey of day care providers undertaken for this research project in summer 1994, two thirds of the day nurseries were found to have opened in the previous five years, whereas over half of the playgroups had been operating for fifteen years or more.

The other area of significant expansion has been in care services for school-aged children, which were not required to be registered before the Children Act.Their development has been fostered by the Out of School Childcare Initiative, a government scheme which has funded development workers and initial start-up costs of "kids' clubs" and other out of school care schemes across Wales. New provision has been successfully established: Welsh Office statistics for 1994 recorded 44 such schemes with 1,089 places - although this still represents less than 1% of the age group.

While the availability of childcare services has increased, little attention has been paid to the question of affordability. The Children Act does not address this issue, except in the case of children in need, but it remains an important constraint on the development of services that can be used by all families.

The impact of regulation on the development of day care services

When the Children Act was first introduced, there were fears that the new standards for registration and inspection would force services to close down, and the Government subsequently instructed local authorities to be flexible in their approach and to avoid applying "unrealistic" standards. The evidence from this research project suggests that regulation has not had a negative effect on the development of most childcare services in Wales, although private day nurseries and organisations representing holiday playschemes reported more difficulties with the new registration and inspection system than did other types of provider.

Most registration officers had noticed no drop in applications to set up new services; on the contrary a common perception was that the higher profile given to day care by the Children Act had resulted in an increase in applications to register new services. The majority of officers reported a drop of about a third in the number of childminders on their books after re-registration, but this was commonly seen as clearing out the "dead wood" of childminders who no longer took children, and numbers were being made up by new applicants. One officer reported that some playgroups were now operating for under two hours to avoid the need to register, and two officers believed that childminders had been put off applying by the registration procedure, but the consensus was that the new system of registration and inspection under the Children Act had not inhibited the development of services.

> *"I did think that with the Children Act, the tighter regulations and fees would put childminders off, but it seems to have worked the other way -*

childminders have a higher profile now and it's recognised as more of a profession. People think they're achieving something because we offer training" (Day Care Officer)

Representatives of the playgroup and childminding organisations interviewed generally believed that social services had adopted a supportive rather than a punitive approach to regulation, and had tried to work with providers to help them improve rather than closing them down. Representatives of the *Mudiad Ysgolion Meithrin* did however express some concern about the effect of regulation on developing Welsh language playgroups. Since the organisation's primary objective is to promote the Welsh language, it needs to recruit Welsh speaking leaders, and *ysgolion meithrin* often operate in very rural areas where numbers of children are low. These additional constraints could create some tension between keeping groups going, and meeting all the requirements for registration and inspection. However, there were few reports of Welsh language playgroups being lost because of this.

The survey of day care providers confirmed that regulation was not perceived as having held back the development of services, at least for playgroups and childminders. When asked if the registration requirements had stopped them expanding or changing their service, only 9% of playgroups and 11% of childminders said this was the case. However this figure rose to nearly half (48%) of the day nurseries in the survey, mostly on the grounds that they had wanted to take more or younger children. Although out-of-school services were not included in the survey, representatives of organisations offering play and care services to school-aged children also expressed reservations about the appropriateness of standards applied to their services, and about the difficulties that registration posed for the operation of holiday playschemes.

Very few services of any type had been closed down under Children Act regulation. In the first three years after implementation of the Act, local authorities in Wales had cancelled the registration of only three providers (all in one authority), and unsuccessfully attempted to do this in one other case. Registration officers expressed some concern that the "flexibility" required of them compromised their attempts to raise standards (this is discussed in more detail later), but there was little evidence that the regulatory requirements of the Children Act were seriously threatening the expansion of independent day care services.

Information on child care

One of the ways in which local authorities can facilitate the development of day care for all children is to help parents find out about and use the services provided locally by the voluntary and private sectors. The first reviews of day care which local authorities had to carry out under Section 19 of the Children Act, frequently identified the need for better information services so that parents were not left to find out about available day care through friends or by telephoning their local social services office.

Before the Children Act, very little help was offered to parents in Wales to help them find suitable provision for their child. Since the Act there has been some progress on this front. Several authorities have produced directories of services for children under eight, usually on a local rather than a county-wide basis, and guidelines for parents on how to choose child care. A computerised Child Care Information Database is being developed by Chwarae Teg and the Wales Information Network, and the majority of Welsh counties have shown an interest in subscribing to this.

Childcare Information Database

An all-Wales computerised database of information on child care services is being set up by Chwarae Teg and the Wales Information Network, in partnership with social services departments and other agencies such as Training and Enterprise Councils (TECs) and local employers. Parents and employers will be able to use computer terminals at libraries and other public places to find out details of local childminders, day nurseries, playgroups and out of school care schemes, including where possible information about languages spoken and willingness to take children with disabilities and other special needs. The information will be regularly updated, and the all-Wales basis of the scheme will be of particular benefit to parents who live in one area and work in another, or who live near a county boundary.

Information services alone, however, do not address the other issues that constrain parental choice, such as the lack of services in rural areas or parents' inability to afford the fees. Nevertheless, they do form an important strand in improving access to child care services for the great majority of families who are not eligible for publicly funded day care and must make their own arrangements.

The promotion of services in rural areas

Developing services for young children in Wales must also take account of the rural nature of much of the country. The survey of day care providers carried out for this research project found that over two thirds of the playgroups and childminders and nearly half of the day nurseries in Wales described themselves as operating in a rural area, compared to less than one in five of providers in the parallel survey carried out in England.

The first stage of the research project identified a number of problems with developing day care services in rural areas, including:

- lack of training and support for isolated providers
- keeping services viable when numbers of children are low or fluctuating
- the need for services to meet Children Act standards for registration when the only premises available may be a poorly resourced village hall or chapel
- finding resources to support isolated children, who are unlikely to be included in local authority definitions of "children in need"

These issues are explored in more depth elsewhere (Statham and Cameron 1994).

A key issue for developing services in rural areas is to find appropriate ways of reaching families. Models of local authority provision suitable for urban areas, such as family centres serving a large estate or a day nursery based in the town, are likely to be inappropriate in a sparsely populated rural area. The research found that the development of such provision had been piecemeal, generally dependent on the energies of particular individuals rather than on strategic planning of services for rural areas.

Rural Project

In 1992 Save the Children set up a project in Powys, in partnership with the social services department, to improve the quality of life of young children and their families especially those living in isolated areas. The project employs a Development Planner, based in the social services department, who supports the work of voluntary child care organisations throughout the county and works with social services and other agencies to develop a more coordinated approach to services for young children. The project also funds several shemes to improve access to provision for rural children, including transport costs for isolated children to attend playgroups and an expansion of the mobile toy library into the more remote parts of the county.

Local authorities had attempted to meet the day care needs of rural children through outreach work and mobile facilities which took services out to rural areas, through supporting and coordinating existing local provision, and through recognising the key role played by voluntary and private providers in rural areas. A common theme was the support and development of local, community based provision rather than services run directly by the local authority. Despite this, the Section 19 reviews revealed that there are generally lower levels of provision for children in rural areas, especially full day care, and that this is an issue that needs to be addressed.

Summary

There has been an overall expansion of day care services in Wales over the past decade, from a very low base, and this development does not appear to be hindered by the new system of registration and inspection introduced by the Children Act, at least not for childminders and playgroups. A number of recent initiatives have encouraged the growth of specific types of provision, such as out-of-school childcare to meet the needs of working parents. Few local authorities have clear policies, agreed between different agencies, on how to develop early years services for all children. Information databases and directories are being developed to improve access to services for those parents that can afford them, and more attention is being paid to the needs of rural areas, although levels of provision in these areas remain low. The voluntary and private sectors remain the main providers of day care facilities in Wales.

3 Are day care services available through the medium of Welsh?

Background

The Children Act emphasises the importance of day care services taking account of children's ethnic, cultural and linguistic backgrounds. In Wales, a key concern is for provision in the Welsh language, and the Welsh Office issued further guidance to local authorities advising them to consider "the extent to which services are available through the medium of Welsh and the options to encourage additional provision of Welsh language daycare facilities" (circular 13/93). In addition to making Welsh medium services available for Welsh speaking children, the case for promoting the Welsh language amongst *all* children growing up in Wales has been reinforced by the passing of the Welsh Language Act and the subsequent establishment of the Welsh Language Development Board.

Playgroups and *ysgolion meithrin*

Published statistics do not distinguish between *ysgolion meithrin* and English language playgroups. However this research project provided an opportunity to collect such data, through obtaining the lists of all playgroups, childminders and day nurseries registered in May 1994 with each social services department in Wales, in order to select a representative sample of day care providers for the project survey. Subsequent analysis of these records indicated that across Wales as a whole, 40% of registered playgroups were Welsh medium groups, with the proportion ranging from just under 2 in 10 (in Gwent) to nearly 8 in 10 (in Gwynedd).

The proportion of *places* in Welsh medium provision is likely to be lower than 40%, because *ysgolion meithrin* tend to be smaller in size than English language playgroups (half of these groups in the survey were registered for 16 children or less, compared to around one in ten of the English language playgroups). Even so, the figures suggest that there is a significantly higher level of Welsh language preschool provision than there are Welsh speakers, and that *ysgolion meithrin* are therefore providing a Welsh medium preschool experience to many children from English speaking homes.

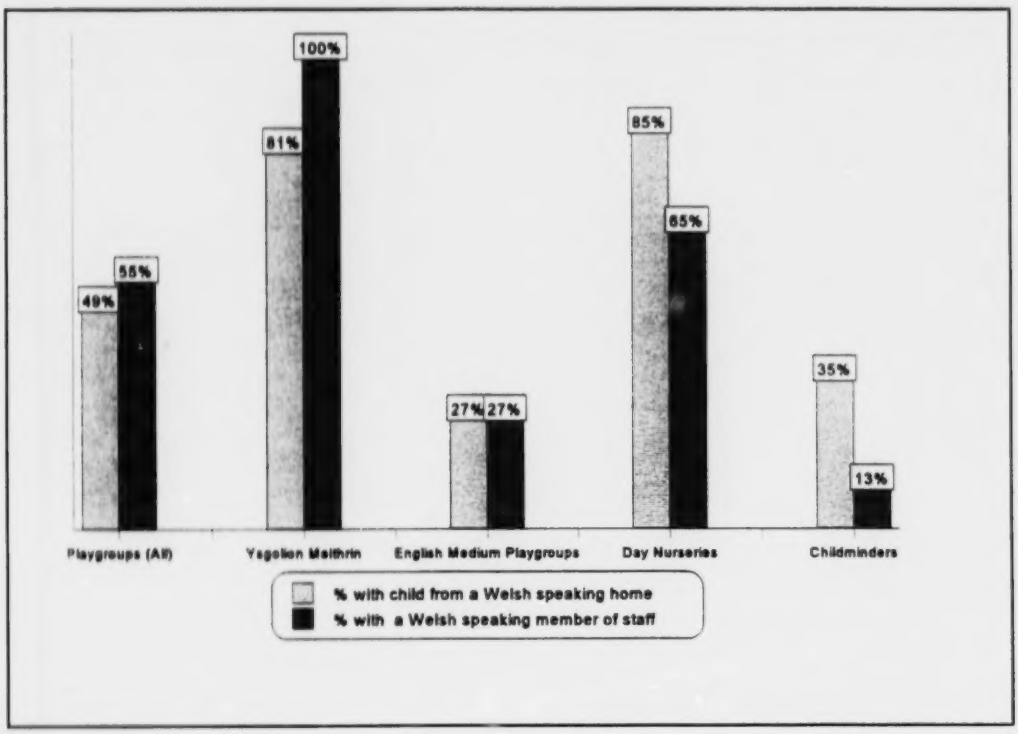
The balance of Welsh/English language playgroups in each county generally reflected the extent to which Welsh was spoken locally, so that counties with the highest proportion of Welsh speakers (according to the 1991 Census) also had the highest proportion of Welsh medium playgroups (Fig 3). Two counties however had a higher proportion of Welsh medium playgroups than would be expected from their ranking on numbers of Welsh speakers. Both these counties, West and Mid Glamorgan, had higher than average levels of nursery education and below average levels of playgroup provision. This suggests that while the high levels of nursery education may have discouraged the development of English language playgroups, they have not reduced the demand for Welsh language preschool provision.

Fig 3: Proportion of Welsh language playgroups in each county compared to proportion of Welsh speakers

Ranking of counties, percentage of Welsh speakers (1991 Census)		Ranking of counties, proportion of playgroups that are Welsh medium (1994) *	
61%	Gwynedd	Gwynedd	77%
44%	Dyfed	Dyfed	61%
20%	Powys	West Glamorgan	56%
18%	Clwyd	Mid Glamorgan	34%
15%	West Glamorgan	Clwyd	29%
9%	Mid Glamorgan	Powys	23%
7%	South Glamorgan	South Glamorgan	19%
2%	Gwent	Gwent	17%

* These percentages show the *balance* of Welsh/English language groups, not levels of provision

Fig 4: Proportion of day care services in which Welsh was spoken by staff and children



The main obstacle to developing Welsh language services in Anglicised areas is the lack of Welsh speakers to run the provision. In several local authorities, the *Mudiad Ysgolion Meithrin* had obtained Welsh Office funding for a part-time project worker to develop Welsh language playgroups in the least Welsh speaking parts of the county.

Use of Welsh in day care services

Fig 4 presents results from the survey of day care providers, which shows that children from Welsh speaking homes are more likely to be able to use their own language in playgroups than in either day nurseries or with childminders. A greater proportion of playgroups (largely accounted for by *ysgolion meithrin*) had Welsh speaking staff than had children from Welsh speaking homes, whereas the reverse was the case for day nurseries and childminders.

Fig 5: Amount of Welsh used with the children in the service

Type of service (no. in survey)	Amount of Welsh used		
	A lot	A little	None
Ysgolion meithrin (32)	91%	9%	0%
Playgroups (48)	4%	40%	56%
Day nurseries (40)	33%	43%	25%
Childminders (80)	14%	22%	65%

Day care providers in the survey were also asked about the amount of Welsh used with the children in their service (Fig 5): "a lot" (defined as operating wholly or mainly through the medium of Welsh), "a little" (teaching basic Welsh words and nursery rhymes) or none at all. It was apparent that many providers, especially those offering group care, were making an effort to introduce at least "a little" Welsh. Interviews with representatives of voluntary organisations suggested that most progress was being made where Welsh language project workers were employed to develop language resource boxes and support their use in playgroups. However such schemes did not exist in all authorities and their funding had

Welsh Language project

A Welsh language project in Gwynedd is run by the Wales Preschool Playgroups Association and funded by the local education authority and a Welsh Office grant. It employs part-time project workers to help English language playgroups give children a basic knowledge of Welsh before they start school. The project has produced resource boxes of games, puppets, tapes and books which are loaned to playgroups, and the workers visit on a regular basis to advise on their use. The education authority's Under Fives Coordinator works closely with the scheme, which is seen as part of Gwynedd's policy of bilingual education.

been cut in others. The survey showed that nearly two thirds of childminders, just over a half of English language playgroups and a quarter of day nurseries were using no Welsh with the children in their care.

Summary

Welsh medium day care is most commonly available in playgroups run by the *Mudiad Ysgolion Meithrin*, which are widely used by children from English speaking as well as Welsh speaking families, although there is no information on how far such provision is available to all parents who want it. Over half of group day care services use at least some Welsh with the children in their care. Developing Welsh language provision in Anglicised areas is hampered by the lack of Welsh speakers to run services, but efforts have been made to address this in some counties through funding for language projects and development workers.

4 Has the Day Care Review provided a good basis for planning services for children under eight?

Background

The Children Act introduced a new duty to review the availability of services for children under eight every three years. This review has to be done jointly by the social services and education departments, and should involve a wide range of other agencies including the voluntary and private sectors. The aim is to provide an overview of existing provision, identify gaps and begin to plan a more coordinated service. Chapter 5 evaluates the review as a mechanism for joint working; this chapter considers its impact on planning and developing services for children under eight.

The first review

The report of the first stage of this research project (Statham 1993) identified the successes and failures of the first review process in Wales. In general, findings suggested that:

- Few extra resources had been allocated to the review duty, which in most cases was added to the existing workloads of staff.
- It had been difficult to involve other agencies, especially education departments and health authorities who were experiencing major changes in their own organisations.
- Elected members had rarely taken a significant role in steering the review process
- There were few concrete plans or targets set to address the issues raised by the reviews.

On the positive side, the first day care reviews had:

- Brought people together and created better links between the statutory and voluntary sectors
- Provided an overview of under eights services, often for the first time
- Identified issues of concern, such as the uneven spread of services (with rural areas generally worst provided for), the lack of day care for children under two and of holiday and after-school provision, the cost of day care, and the need to offer more training to providers.

Similar results have been reported for local authority reviews in England (Bull et al 1994, Elfer and McQuail 1995).

Looking back

When interviewed in the second phase of the research project, almost all the key local authority officers who had been involved in the first review felt that it had been a useful exercise, particularly in creating networks between those involved with young children. There was general agreement about how the next review could be improved (see Fig 6), and it was clear that some of the shortcomings of the first review exercise reflected the short time in which it had to be carried out (within a year of the Children Act coming into force). The majority of officers believed that the second day care review would benefit from the improved networks and information databases that had been achieved since the first review.

However, in order to be successful in encouraging the development of good quality services and filling gaps in provision, the review has to be seen as part of an ongoing process, and not just an exercise carried out once every three years. A Welsh Office circular (13/93) reminded local authorities that the review should lead to a Local Childcare Plan, "to be taken forward in collaboration with all interested organisations". This had not generally happened, at least not by the time of the repeat visits to local authorities in late 1994 and early 1995. Many officers involved in the first reviews expressed concern that the recommendations were not being responded to by senior management and elected members. One officer interviewed described the review report as "disappearing into a black hole". Few authorities had at that time begun preparation for the second review, due in October 1995.

Planning for the next review appeared to have been overtaken by the reorganisation of local government, and by the requirement to produce joint Children's Service Plans covering the whole age range and residential care (Welsh Office Circular 11/94). In early 1995, most authorities were concentrating their efforts on reorganisation and on these broader plans, and as most of these were not yet available, it was unclear how far the early years issues identified by the first day care reviews would be incorporated into these broader children's service plans. The Section 19 day care review has a key role to play in overseeing the development of services for children under eight, and it is important that the focus on young children and the impetus provided by the first day care review should be maintained.

Summary

The Section 19 day care review has provided local authorities with more information about services for children under eight, both what is available and what is needed, and has led to closer working relationships between those involved with young children. However at the time of the final interviews there appeared to be a danger that the particular focus on the needs of children under eight would be lost.

Fig 6

How officers would like to change the next day care review...

- **Consult more widely**
  Officers wanted to "get more people round the table to start with", "not just ask for written comments at the end"; and to reach a wider range of organisations, using local children's forums and planning groups which were being set up in many authorities. It was acknowledged that better ways needed to be found of obtaining the views of parents, and of consulting with families from minority ethnic communities in particular.

- **Involve elected members**
  Councillors had taken little part in the first review in the majority of Welsh authorities, rarely setting the terms of reference or taking an active interest in its progress. Member involvement and support was seen as necessary if review recommendations were to be acted upon.

- **Less emphasis on information gathering, more on issues**
  The first reviews were mostly descriptive, and presented "facts and figures" rather than analysis. The surveys and questionnaires used to gather information were often perceived as unsatisfactory. Having established a database, officers intended in the second reviews to pay more attention to issues such as equal opportunities and quality in services, incorporating information from annual inspections.

- **Provide a summary or synopsis**
  The full review reports were not thought to have provided a good basis for consultation. Officers hoped to produce shorter, readable summaries of the next review which could be widely distributed in doctors' surgeries, libraries etc.

- **Include an action plan**
  The first reviews generally failed to make recommendations or indicate how the issues they raised would be followed up.The Children Act Guidance says that the review process needs to be seen as "an active procedure which encourages development of good quality services" and that "well-publicised arrangements for follow-up will help this to happen". Most officers hoped to include action plans and targets in their next review reports.

5 How far are different agencies working together to develop services for young children?

Background

The lack of coordination of services for young children has been a subject of concern for many years (Bradley 1982, Pugh 1988, Pugh 1992). There are many different types of services including nursery education, public and private day nurseries, family centres, childminders, holiday playschemes and out of school clubs. They are currently offered by a variety of agencies including government departments (education, social services and leisure), voluntary organisations, community groups, employers and private individuals. These services often have different philosophies, different hours, different training and working conditions for staff and different funding levels. They usually aim to meet particular needs, for instance offering childcare for working parents, education for children about to start school, opportunities for children to play with their peers or support for children and families experiencing difficulties.

The advantages of a more coordinated approach have long been recognised, but the Children Act for the first time introduced a legal requirement for social services and education departments to work together, through the joint review of services for children under eight in their area.The Children Act Guidance and Regulations suggest that a more coordinated approach to day care and educational services would offer "a means of ensuring that all children have access to a good quality service or programme with continuity of experience and smooth transition to other forms of day care or education" (Department of Health 1991 paragraph 1.16).

This report focuses on joint working over services for children under eight, but it is difficult to isolate arrangements for the early years from those for services to children in general, especially in Wales where many of the coordinating structures are not specific to early years. The transition to unitary authorities in Wales, which was taking place at the same time as the fieldwork for the final stage of this research, also makes it difficult to address some aspects of joint working, because structures were changing, and final outcomes had yet to be realised.

What is coordination?

Coordination can be seen as a number of different elements: (Challis et al 1988)

- organisational arrangements
- process
- outcomes

Organisational arrangements are the structures which are set up to bring agencies together, such as joint consultative committees, children's services planning groups, area

child protection committees and early years forums. But structures alone do not guarantee joint working, and it is important to consider also the *process*, or how coordination works in practice. For instance all the key agencies may be represented on a coordinating group, but do their representatives attend regularly? Are they senior enough to be able to take decisions? Do all interested parties have a chance to make their views heard? Is the process one of consultation, where one party presents its decisions for comments by the others, or is the agenda set jointly?

And finally, coordination is not an end in itself but a means to an end, so it is important to consider the *outcomes* of joint working arrangements, and how far they have led to concrete developments which are likely to improve the delivery of services for young children.

Both organisational arrangements and outcomes are difficult to evaluate successfully at a time of significant structural change, which was happening in Wales at the time of the research. These aspects are covered briefly here, but the main focus in this chapter is on the process of coordination, and on identifying the factors that support and hinder joint working in the development of services for young children.

Structures to coordinate services

At the time the research was undertaken, decisions were still being made about appropriate structures to manage and support children's services in the unitary authorities, so it is not possible to give precise information. However a number of general conclusions can be drawn:

- New structures for coordinating the planning of children's services have been set up since the Children Act, so that by early 1995 most Welsh local authorities had an inter-agency county planning group for children's services, and a children's forum involving the voluntary sector.

- Most of these joint planning groups cover the whole age range of children, rather than having a specific focus on children under eight.

- Since the first stage of the research local authorities have made further progress in setting up local joint planning groups and encouraging the development of local children's forums.

- No Welsh local authorities have set up an integrated early years service, where responsibility for all services for young children is brought within one department. A recent study by the National Children's Bureau of the effectiveness of different ways of organising early childhood services, found that integrated authorities in England were much more likely to be metropolitan or inner London boroughs than counties, and were generally those with higher levels of direct expenditure on early years services and less reliance on the voluntary and private sectors (Pugh and McQuail 1995).

- Two of the eight Welsh authorities had a joint under eights committee or panel at member level; both had developed joint policies on provision for children under eight although the management of education and day care services was still within separate departments.

Who is working together?

Many different departments and agencies offer services for young children, and the voluntary and private sectors have an important role to play, since they provide the great majority of day care services. The first stage of this research project looked at the composition of multi-agency groups planning children's services, and at what officers said about their representation and powers. Findings included:

- Most multi-agency children's services groups were led by social services, with education departments less involved and in many cases attending infrequently due to competing priorities and demands on their time.

- It had proved difficult to identify the key individuals with which to work in health authorities and NHS trusts

- Agency representatives were frequently not senior enough, or did not have enough backing from senior management, to enable the groups to function as much more than "talking shops".

There had been little change to this situation when key officers in social services were re-interviewed in early 1995. However three of the eight authorities did report improved links with health services, stimulated by the Audit Commission report entitled "Seen but not Heard" (on coordinating community child health and social services for children in need), as well as by Welsh Office guidance. Since the fieldwork was completed, the Welsh Office has produced and circulated a further checklist to heads of all agencies working with children and to chief executives in the unitary authorities, to encourage joint working in the health and social care of children.

The process of undertaking the day care review provides a particular example of joint working between organisations concerned with children under eight, and the extent to which this has involved the independent sector. All eight local authorities in Wales had made some attempt to involve non statutory organisations in the review process. In some cases this meant little more than requesting information and offering the opportunity to comment on a draft document. In other cases it was a much more participatory process, with a variety of multi-agency task groups set up to work together on the review.

Most local authorities had taken on board the requirement in the Children Act Guidance and Regulations that they "seek views from all interested parties and

individuals"(paragraph 9.7), but had not always found it possible to involve the wide range of community groups listed. In practice, some groups were more frequently consulted than others. Playgroup and childminding organisations and local branches of national children's charities were involved in the day care review in most cases; private day nurseries, smaller charities and organisations representing children with disabilities (except for children with learning difficulties) had been included less often. The views of families from minority ethnic groups had proved difficult to obtain, and officers acknowledged the need to develop more appropriate ways of involving and consulting such groups, perhaps through the use of a community development approach.

Most local authorities stated that they had found it difficult to include parents in the review process, although they had tried. A minority had undertaken surveys, and included the results in their review reports. Most had attempted to use the draft review document as the basis for consultation with parents and interested members of the public, either through public meetings or by attaching a questionnaire asking for feedback. They reported that the response had generally been poor. The best results were obtained by going out to talk to parents in their own environments, for instance using Fun Days or mobile toy libraries, rather than expecting them to attend public meetings or send back questionnaires.

Young children themselves obviously have a stake in early childhood services, although their views are rarely heard. One or two local authorities were beginning to develop ways of involving older children and young people in planning the kind of services they would like, but had not specifically addressed this for younger children. However one Welsh authority was investigating the possibility of using the annual inspections of independent day care services under the Children Act, as a way of ascertaining for the next review what children themselves wanted from a good quality service.

A voice in planning? The view of the independent sector

The views of community organisations involved in providing services for children under eight were obtained in the second phase of the research through interviews with representatives of the major child care organisations in each county, and the distribution of a short bilingual questionnaire at Children and Family Forum meetings.

There was general agreement among independent sector organisations that the Children Act had resulted in closer links with statutory agencies especially social services, and that there was now more interest in obtaining their views.

> *"We're working together much more since the Children Act. There's more interlinking and people sharing information"* (childminding representative)

> *"We're definitely respected for our views. We wouldn't have been given things to comment on before"* (playgroup representative)

But most local interest groups felt that this increased consultation had not yet given them a real voice in the planning and development of services. A common perception was that they were not really involved in determining the issues and agenda, but instead were responding to local authority concerns. Such views are highlighted in the following comments made during interviews:

> *"We were asked to contribute to the Review, but we feel very much on the sidelines as far as planning goes. Plans are made and we are allowed to comment on them...we would rather be involved at the beginning"* (playgroup representative)
>
> *"It doesn't feel like a real partnership, although there are a lot of good working relationships. Without a strategic planning group for children we will never have our voice heard"* (forum representative)
>
> *"Things are usually presented as a fait accompli, rather than 'we want to do this, what do you think?'. I still feel we're on the periphery, not really involved. We have a very good relationship at the ground level, but don't feel we're involved above that"* (playgroup representative)
>
> *"We don't influence policy, we just comment on it when it's made"* (forum representative)

Local childcare organisations, especially small organisations without paid development workers, described a number of obstacles which hindered their effective participation in multi-agency children's planning groups. These included:

- attending an increasing number of meetings whilst continuing to run a child care service
- lack of confidence in the face of meetings dominated by the local authority's agenda and language
- lack of expenses for unpaid volunteers to attend meetings
- difficulties in finding an individual who could act as a representative for a wide range of voluntary organisations
- little recognition of the need for such representatives to have time to consult with their membership before taking decisions.

Local child care organisations appreciated the increased dialogue and liaison over early years which had been achieved since the Children Act, and welcomed the higher profile this had given to the independent sector. However their effective participation in planning and developing services requires that attention be paid to the process as well as the

structures for involvement. Inviting the main child care organisations to send a representative to a multi-agency group is important, but not enough. Attention needs to be paid to the language and conduct of meetings, to issues of representation, and to the inequality of power inherent in the local authority's relationship with community groups who may depend on it for their funding. The opportunity to comment on local authority decisions is not the same as being involved in shaping the development of services for young children.

Early Years Forums

Early years or children and family forums have a potentially important role to play in allowing the views of community organisations to be heard and acted upon, provided that they feed into the local authority planning structure. They are particularly significant in a country like Wales, where low levels of local authority day care mean that the voluntary and private sectors play a vital role in the delivery of services. Forums have been promoted by the government in the guidance to the Children Act, as an "effective way of consulting and involving outside interests" (paragraph 9.7), and they are also mentioned in the consultation document on the preschool voucher scheme, which refers to the role of networks in promoting good quality early years services "particularly for the private and voluntary sectors and in rural areas".

Clwyd Early Years Forum

The Clwyd Early Years Forum is a voluntary body aiming to develop and improve services for young children, with a large membership drawn from organisations across the county concerned with the well being of children. A smaller management committee meets on a regular basis. A grant from the Clwyd County Council has enabled the Forum to employ two part-time Development Officers, who support existing services and are developing new local early years fora. Each of these local groups has a small development budget which enables it to respond to locally identified needs. Other activities of the Forum include organising an Early Years Roadshow in different parts of the county, based on the successful experience of the Under Eights Network in Gwent, and producing a newsletter for Forum members. The Forum is represented on an Early Years Information Exchange, which includes officers from all the main county council departments and statutory agencies involved with children. This group reports to a joint member committee, the Services to Young Children Panel.

Forums can be restricted to voluntary organisations only, or also include representatives from statutory agencies. They can operate at county or local level, and they can concern themselves with services for children across the age range or just the early years. All the forums studied in this project operated at a county level, and the majority had as members representatives of both statutory and voluntary organisations and covered services for children up to age sixteen or eighteen, although often with a particular focus on children under eight.

Interviews with the forum chair and with the members who represented the main child care organisations identified some characteristics of successful groups (Fig 7).

Fig 7: Some characteristics of successful forums:

- ❒ Mechanism to feed the forum's views into the local authority planning structure
- ❒ Active involvement in projects and activities rather than just discussion. Members need to see things happening in order to keep up interest and attendance.
- ❒ Resources - for example to service the forum, pay childcare and travel expenses, produce newsletters and organise activities.
- ❒ Commitment from member agencies, with key people attending regularly.
- ❒ A willingness to work together and reach agreement rather than to defend vested interests
- ❒ Having a clear agenda, to avoid wasting people's time
- ❒ Clarity about the forum's aims, and understanding of the different objectives and concerns of member organisations, whether these be service provision, campaigning, community development, or monitoring standards.

Outcomes: what has coordination achieved?

The growth of coordinating structures since the Children Act, and particularly the duty to carry out a day care review, has had a number of positive outcomes:

- improved relationships and contact between those involved in providing services to young children
- increased awareness of existing services and what different agencies have to offer
- sharing of information and skills, especially at a "grass roots" level and in areas such as training and support for day care providers.

There have also been practical outcomes, including surveys of the training needs of child care workers, local area childcare audits, the establishment of local forums and support groups for childminders and out of school carers, and training days for staff working in private day nurseries.

The most progress in working together for young children appears to have been made at the "grass roots" level, between individuals involved in providing or supporting day care services. Multi-agency planning groups for children's services have been developed in most counties, but vary in their effectiveness. There were some indications from the research that joint working could fail at district level, depending on the attitudes of district managers. Coordination had proved difficult in a number of specific areas:

- Little progress had been made on developing joint policies on early years services. Only two authorities had a joint statement agreed by an under eights committee or member panel. Nursery education and day care were still largely regarded as separate systems for planning purposes.

- Only half the authorities had produced joint registers of children with disabilities as required by the Children Act, and most of these reported problems with getting such registers up and running, to do with obtaining joint funding and resolving issues of confidentiality.

- Where joint statements of values and principles had been agreed between agencies, for instance on children in need, local authorities frequently reported difficulties in translating these policies into practice. The different histories and priorities of agencies, and disagreements over how financial responsibility should be apportioned, meant that common systems had generally not been developed across social services, education and health for assessing need or prioritising places.

- Links between different coordinating structures were not always clear, with the result that in some authorities there was a wide range of different multi-agency groups concerned with children's services, but no overall strategy or framework for linking them into the planning structure.

Summary

Coordination is often time-consuming and requires agencies to give up some of their autonomy in return for what may seem an intangible benefit of achieving through working together more than the "sum of their parts". Other external factors which have made coordination more difficult include the ongoing process of restructuring and change both within and outside of organisations; the need to reduce local government expenditure; the effect of other legislation which has devolved power within the NHS and the education service; and the lack of a national policy on the early years which would have provided a framework for reconciling different aims and philosophies.

Despite these constraints, there was widespread support from both statutory and voluntary sectors for the principle of multi-agency cooperation in the area of children's services, and there has been some progress in this direction since the Children Act. The establishment of new unitary authorities creates an opportunity - and challenge - to build on the steps that have already been taken towards joint working over services for young children.

6 Has an effective system been set up to regulate day care?

Background

The Children Act aimed to improve on the arrangements that were already in place for social services departments to register independent day care services for children under five, by introducing a new regulatory system which was to be seen as "an enabling process which helps intending providers and childminders offer good quality services to parents and children with the minimum of bureaucracy but with adequate support and encouragement" (Guidance and Regulations paragraph 7.3) Local authorities were required to draw up new standards, to re-register all existing services, and for the first time to carry out annual inspections and to include services for 5-8 year olds.

Whilst the public law sections of the Children Act are concerned mostly with children in need, the regulatory duty affects services used by large numbers of children. Some 47,000 places were offered by childminders, playgroups and private day nurseries in Wales in 1994, compared to less than 500 places in council-run playgroups and day nurseries. The new system of registration and inspection is thus one of the more far-reaching aspects of the Children Act, and assessing its impact was an important part of the second stage of the research project. The main findings on regulation are presented here in two parts. This chapter looks at the framework for regulation and at issues of organisation and staffing, based on interviews with senior managers and inspection officers in each local authority. The next chapter considers the inspection process and how it has been experienced by day care providers themselves, including the results from a national survey.

The organisation of registration and inspection

There are two principal ways of organising regulation; "arms length" inspection in a separate unit, and inspection by officers based in local area teams within the mainstream social services department. The guidance accompanying the Children Act favours neither of these models, saying only that local authorities must decide on the most appropriate structure to suit local circumstances. By early 1995, three of the eight local authorities in Wales were using independent inspection units (Dyfed, Gwent and Powys) and the other five had kept the inspection of under eights services in social services districts. Within the district based model there were a number of variations: day care inspectors could be based in resource teams, family centres or child care teams; in some cases they were the only such inspector in their office and in others they worked as part of a small team of staff concerned with day care.

Where day care services for young children were brought within inspection units as part of implementing the Children Act, the reason given was usually that it was better to

separate out the role of inspection from that of supporting services. Where they were kept together, it was argued that support and inspection could not be separated and underpinned each other. In practice, the distinction between inspection and support had often proved difficult to draw, so these two models of organisation were not as clearcut as it at first seemed. Of the three authorities using inspection units, only one had drawn a clear boundary between support and inspection and had appointed separate under eights workers to carry out the support role. In the other two inspection units at the time of the interviews, no-one had formally taken over the support role and the inspection officers did in fact do some support work even though this was not part of their official job.

Both managers and inspection officers were asked whether they thought inspection should be combined or separated from support. Unsurprisingly perhaps, most favoured the model they currently operated. The main advantages that were given for each model are shown in Fig 8.

Fig 8 Perceived advantages of different models of regulating day care

Combining inspection and support	Separating inspection and support
*** Easier to work with providers** (Officers can offer training and other support, and through this build up a relationship with providers)	*** More authority and "clout"** (Easier to enforce standards, especially when dealing with child care businesses)
*** More accurate assessment** (Providers feel more comfortable with someone they know, so will admit more readily to problems and give a more honest response)	*** Clearer role** (Avoids need to wear two different hats, and the difficulty of drawing a line between "policing" and support)
*** Local knowledge permits flexibility** (Officers can take into account local circumstances when applying standards, for example allowing childminders in a deprived area to delay the purchase of fireguards until they have found a child to mind)	*** Inspection takes priority over support work when combined** (Support may be less likely to be "squeezed out" if treated as a separate task)
*** Support work makes the job more interesting** (Many officers had been responsible for training and support before the Children Act, and were reluctant to relinquish this aspect of the work)	*** Objectivity and consistency** (More attention paid to underlying inspection skills)

Day care officers who had moved from districts to inspection units after the implementation of the Children Act generally believed they now had a clearer management structure and better support for their work. Inspection officers who remained attached to area child care teams were usually answerable to more than one person,

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including a policy manager at headquarters and a district manager in their area base. A common complaint among this group was that the work they did was not properly understood or valued within social work teams whose primary focus was child protection, and that they felt unsupported especially if they were the only day care officer in their team. On the other hand, working alongside social worker colleagues meant day care could more easily be offered as a resource to support families in need. The experience of at least one authority showed that the isolation of inspection officers based in area teams was not an inevitable consequence of that model of organisation, and could be overcome by regular meetings with other day care officers and good support from a coordinator or supervisor at headquarters.

One of the objectives of the second stage of the research was to see whether one model of inspection had clear advantages over another. In fact, organisation did not appear to be the crucial issue. What was more important in explaining differences between local authorities was not so much the structure for registering and inspecting services, but rather the resources and priority allocated by the local authority to the work, as shown below.

Staffing and workload

In response to the Children Act, six out of eight local authorities had created extra posts for regulation or extended the hours of existing staff. However workloads were still very variable, and the report of the first stage of the research concluded that "staff resources seemed to have been determined more by what was thought to be achievable (what members and managers were likely to agree to) than by what was needed or a by workload formula" (Statham 1993).

This still appeared to be the case in early 1995. Fig 9 presents a workload calculation based on the number of registered services on social services lists in May 1994, counting one unit for a childminder, two for a playgroup and three for a day nursery, divided by the number of full-time equivalent staff. Playschemes and after school clubs were not included because it was not possible to obtain accurate data from every authority.

Care needs to be taken in interpreting these figures, however, because of the difficulty of making direct comparisons between authorities due to the differing responsibilities of day care inspection staff. For example some officers were responsible for training and supporting day care providers whilst others were not, some had additional duties towards community childminding schemes, and a few also had general social work duties or were responsible for registering and inspecting other services such as children's homes. Additionally, there were differing levels of administrative and management support for the task of regulation, and different demands on staff in terms of travelling distances to visit services. However Fig 9 does suggest that there is a wide disparity of staffing levels for regulating day care, with some officers having over three times as many services to register and inspect as others.

Fig 9 Registration and Inspection Workloads, Wales 1994

County	Number of R&I staff (FTE)	Workload (1)	Workload per staff
A	12	982	82
B	10	1,188	119
C	8	1,089	137
D	3	468	156
E	5	916	183
F	2	399	200
G	3	727	242
H	1	807	807 (2)

Notes

1. Workload calculated as one unit per childminder, two per playgroup and three per day nursery.

2. In authority H, there were four additional half time posts to support and develop day care services. If these are included, the workload calculation per staff falls to 269

Meeting targets

Staffing levels were related to local authorities' ability to meet the targets for registration and inspection set in the Children Act, and to carry out regular monitoring and support. At the end of 1994/early 1995, when this information was collected, most local authorities (seven out of eight) were able to register *new* services within the recommended timescales. Over half were keeping up with annual inspections, but three said they were unable to do so, and they were falling well behind - in one less than one in ten childminders had been inspected, in another no playgroup or day nursery inspections had yet been started. In two of these cases the cause was clearly low staffing levels, combined with large travelling distances. In the third, re-registration had started late because of a delay in finalising new forms, and a large proportion of inspection officers' time was spent on a community childminding scheme. Conversely, it was those authorities with higher staffing levels who were generally able to make regular visits to providers between annual inspections.

About half of the 22 inspection officers interviewed judged that staffing levels were too low to do the work they were expected to do by law. Most of the rest said that staffing was adequate for statutory duties, but not for the kind of regular monitoring and support that they believed was needed.

Low staffing levels had a number of consequences. The most serious was a failure to meet statutory requirements. This was most obvious among the three authorities that were falling most behind, but was also mentioned by individual officers in other counties that were mostly keeping to targets. A second consequence was stress and low morale among workers. Inspection officers frequently described feeling guilty at being unable to give support to providers or make sure that children received a good quality service:

> *"You keep pushing yourself and never feel you're getting anywhere"*

> *"You can never get on top of it, you're always trying to catch up"*

Thirdly, low priority was given to support work when staffing levels were low, since the initial registrations, annual inspections and emergencies had to take precedence. Finally, inspection officers were concerned that quality assurance was less effective when they were unable to visit more than the statutory once a year. Many referred to the scope for day care providers to hide inadequate practice, and the difficulty of picking up on important aspects of quality through a pre-announced annual inspection visit.

> *"Other visits only get done if there is a problem. Yet they are more important than the annual inspections, they would allow us to catch problems before they happen".*

Training and qualifications of inspection officers

The new regulatory system introduced by the Children Act makes considerable demands on those responsible for implementing it. While premises and health and safety issues can fairly easily be ticked off on a checklist, it is a much more complex process to judge "warm and consistent care" or attitudes to equal opportunities. Officers require a range of skills and experience, including knowledge of child development, inspection skills and the ability to write reports. The research project therefore looked at the background and qualifications of staff doing inspection work, and at their opportunities for training.

Inspection officers came from a variety of backgrounds, including residential care, social work and administration as well as child care work. The majority of the 22 inspection officers interviewed had been responsible for registering services for children under five before the Act. Over half had a recognised early childhood qualification, including over a quarter with a teaching qualification, and several had considerable experience of working in early childhood settings. However over a third of the officers inspecting day care services had neither a relevant qualification nor experience.

The Children Act Guidance and Regulations suggest that social services should be able to call on education departments to help with assessing standards, but in practice no inspection officers in the study undertook regular joint inspections with educational advisers, and only half said that this was done on an occasional basis. The need for better collaboration with colleagues working in education services is becoming increasingly important, in the light of proposals for a separate "light touch" inspection to assess the

educational quality of day care services participating in the pre-school voucher scheme (Welsh Office 1995).

Given the variation in their background and qualification, the availability of training is clearly an important issue for inspection officers and their managers. Such opportunities differed greatly in practice between local authorities. Some offered fairly extensive training; these tended to be the authorities with the most generous ratio of staff to services. However in the majority of local authorities opportunities for inspection officer training were limited to attending short in-house courses on topics like AIDS awareness, equal opportunities and food hygiene. At the time of the interviews, half of the inspection officers had had specific training in inspection skills and half had not, although most reported that this was planned in the near future. The two areas of training that officers were most likely to say they needed were in inspection skills and equal opportunities, and of the training they had undertaken the most useful was judged to have been developing inspection skills with a specific focus on day care services.

Training for Inspection Officers

One county had a regular training programme for its inspection officers, with courses on enriching day care, managing children's behaviour, report writing and inspection skills. Staff also met regularly with a senior officer in a fortnightly support group. A second local authority was helping its inspection officers to obtain NVQs, and had brought in an external trainer to run a two day course on inspecting services for young children. A third had paid for staff to attend a ten week Early Years Inspectors course outside the county, which had provided valuable opportunities for sharing experiences and learning from colleagues in other areas.

Summary

The Children Act has led to more resources being allocated to the regulation of independent day care services, but has also greatly increased the demands on those undertaking this work. The majority of local authorities in Wales are able to meet their statutory duties to register services within recommended time limits and to inspect them annually, but a small number have clearly allocated insufficient resources to the task. Workloads are very uneven across Wales, within as well as between authorities, and this has consequences for the thoroughness of inspection and the extent to which services can be helped to improve standards. Neither "arms length" nor area-based inspection proved to be an inherently superior model for regulating day care. A more important factor was the priority and status given to regulating day care within the work of social services departments.

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7 Is regulation helping to raise standards in day care?

Background

The Children Act Guidance and Regulations give four main purposes of inspection: to ensure that services meet acceptable standards, provide reassurance to parents, keep information on social services registers up to date, and encourage providers to raise standards. Inspection is thus concerned both with ensuring that minimum standards of health and safety are met, *and* with improving the quality of services beyond this minimum level - although the guidance warns that local authorities should "maintain a clear distinction between what is obligatory for registration purposes and suggestions for improving the service" (paragraph 7.4). This chapter considers how inspection officers are trying to raise standards in day care services, and how day care providers have reacted to this.

The inspection process

Inspection officers in each county were asked how they went about the task of inspecting services, and they provided examples of completed inspection forms. There was considerable variation in the inspection process, and again no clear pattern distinguishing inspection units from area-based teams. Three authorities made interim visits to providers between annual inspections; two of these used area-based inspectors and one an inspection unit. In these authorities playgroups were generally visited at least termly, childminders twice a year and day nurseries every two to three months.The sample documents provided by officers indicated that there were two main approaches to inspection, one using self-evaluation by the provider as the basis for discussion during the inspection visit, the other having a set of criteria against which providers were assessed by the inspector. Again, neither approach was linked to a particular organisational model.

All local authorities had drawn up new guidelines and documentation for both registration and inspection: this was a clear example of where the Children Act had led to an improvement on the previous system. The inspection documents themselves varied greatly in both style and length, from a two page form with main headings, to a document of over twenty pages with some 300 individual questions to be answered. It is difficult to tell from such documentation how inspection was carried out in practice, and it cannot be assumed that long detailed documents necessarily resulted in a more thorough assessment. It was clear however that local authorities had individually invested considerable time and effort in producing the necessary paperwork for registration and inspection, and that inspection officers in different counties would benefit from greater opportunities to share with each other this documentation and their experiences of using it.

The sample inspection documents covered a fairly standard range of issues on health, safety and premises, but were more variable in the extent to which they dealt with aspects of good practice. In most local authorities the documents addressed the aspects of quality care listed in Fig 10, but they did this to greatly differing degrees. For example, one authority provided a detailed breakdown of the kind of toys needed for children at different ages to encourage motor skills, language development and imaginative play, while another included a brief section headed "describe play materials". One authority's document prompted inspectors to look for evidence of emotional warmth, respect for the child, degree of communication and whether children seemed happy and contented, while another report noted briefly that "Mrs Jones was very warm with the children". It was also apparent from some of the completed childminder reports that no children had been present during the inspection, which raises the question of how adequate assessment of many of these "quality" issues can be in the absence of observation.

Fig 10: "Quality" issues addressed in most inspection documents:

- Play and activities
- Approach to discipline
- Interaction between staff and children
- Involving parents
- Settling in new children
- Attention to equal opportunities issues

Assessing a "fit person"

The aspect of regulation which had created most difficulty for inspection officers was assessing whether someone was a "fit person" to be registered as a day care provider, especially judging the more subjective aspects such as their ability to provide warm and consistent care and their attitude towards equal opportunities and multicultural issues, which is included in the legislation for the first time. Officers commonly referred to the difficulty of assessing attitudes and interpersonal behaviour through regulation, and emphasised the importance of discussion and awareness raising rather than enforcement. Most relied on tangible criteria of "fitness", such as police and health checks and qualifications, supplemented in some authorities by a requirement to sign an equal opportunities declaration. A common theme was reliance on "gut feelings" for assessing the more qualitative criteria, and the difficulty of refusing or cancelling registration on such a basis.

> *"It's very wooly and frustrating trying to judge those things. You have to use gut feelings. But if the doctor says they are healthy and they jump through all the hoops you can't do anything. It's very difficult to turn someone down".*

> *"It's difficult to find grounds for refusal as an unfit person. We go through the inspection forms and ask the questions, discuss equal opportunities, give examples of good practice. We see how they are with the children. But we couldn't deregister because they hadn't grasped equal opportunities principles"*

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Inspection officers described a number of tactics or strategies to help them assess these aspects of fitness:

- including specific questions on inspection forms or self-completion questionnaires, to provide an opportunity for discussing equal opportunities and other fit person issues during inspection.

- offering as much information as possible before registration to allow prospective providers to decide not to proceed, on the basis that it is easier to "counsel out" at an early stage than to attempt to deregister later. Introductory briefings and pre-registration courses for childminders had proved particularly valuable in this respect.

- developing a supportive relationship with providers, so they are prepared to admit to areas of weakness and are open to suggestions for improvement.

- creating opportunities for day care providers to share ideas and raise awareness among themselves, for instance through setting up childminding support groups.

These strategies would suggest that combining inspection and support roles would be most effective in assessing the qualitative aspects of fitness. However officers in "arms length" inspection units were as likely to mention such strategies as those in area based teams, and to emphasise the importance of support and discussion in this area of assessment.

Using the law to enforce standards

As described earlier, local authorities rarely resorted to using the courts to refuse or cancel the registration of unsatisfactory day care providers, and there was little evidence at the time of the study of local authorities using the Children Act to close down child care services (although several cancellations have occurred in one authority since). On the contrary, the majority of inspection officers and their managers felt that they had insufficient backing from the law to enable them to maintain standards properly, especially in the wake of a government circular urging them to be flexible in their application of standards to independent day care (Welsh Office 1993), and the judgement in the 1994 "Sutton case" which upheld the right of a childminder to smack a child in her care. These events had rarely caused local authorities in Wales to make formal changes in their policies, but they had served to make them more cautious about the extent to which they expected to be backed up if they took cases to court, and had had a negative effect on morale because officers felt that their efforts to be fair had not been acknowledged.

> *"It increased our worries about whether we would be backed up if we had a problem. We felt we couldn't get it right - if we enforced standards and were challenged we would lose, if a child were hurt we'd be blamed. It left us feeling piggy in the middle"* (Inspection Officer)

Fig 11: Using the law: lessons from one authority

- ❒ Cancelling registration is very time consuming. The task must be prioritised and sufficient staff resources allocated.
- ❒ Backing is needed from councillors and senior officers
- ❒ The case should be made on a number of grounds, not on the basis of a single reason
- ❒ It is important to build up a body of evidence to use in court, including written records of meetings and phone calls.

Taking providers to court was one way of using the Children Act legislation to improve standards, which had been successfully utilised in only one authority (see Fig 11). However all authorities reported using the new requirements as a way of discouraging unsuitable applicants, before the need to refuse registration arose. They also tried to work with poor quality services in an attempt to bring them up to standard, although this placed considerable demands on officers' time, which often conflicted with the need to carry out statutory duties such as annual inspections.

Despite the difficulties with using legal procedures to enforce standards, virtually all the inspection officers interviewed thought that the Children Act was helping to improve the quality of day care services. The main ways in which this had been achieved were:

- clearer requirements
- more consistency over standards
- increased emphasis on training
- more contact with providers, for instance through annual inspections and childminder introductory courses
- raised awareness of quality issues among providers
- more "professional" view of day care, especially among childminders

Day care providers' experience

Social services staff clearly viewed regulation as an enabling process and believed it had helped to raise standards, but what of the day care providers and the organisations that represent them? Voluntary organisations were generally favourable towards the new system, especially those concerned with provision for children under five. Representatives reported that initial fears had been allayed and inspection officers were for the most part seen to be flexible and helpful. There was a less positive response from organisations representing play and care services for school-aged children, who while

agreeing with the need to maintain standards often regarded some of the standards and training required as inappropriate, and felt that social services officers had little understanding of the true nature of play services. Generally however, the new system of registration and inspection was welcomed by voluntary child care organisations, and seen as a helpful back up to their own attempts to improve standards among their members.

The research project's survey of 200 day care providers across Wales, conducted in mid 1994, provided the first independent evidence of how the system introduced by the Children Act was working from a providers' perspective. The survey covered childminders, day nurseries and playgroups, with the balance of English language playgroups and *ysgolion meithrin* reflecting that in each county. The main findings from the part of the survey concerned with experiences of regulation were as follows:

- There was overwhelming support for the *principle* of regulating day care services. Only one day nursery and one playgroup thought that services should *not* be registered and inspected by social services.

- Over three quarters of providers thought that the standards set by social services were "about right", and were fairly applied in practice. However day nurseries were more critical than either playgroups or childminders; 1 in 6 said the standards were too high, but 1 in 6 also thought they were too low.

- Over half of day care providers had made some change to their service as a result of re-registration or inspection. The most common changes for childminders and playgroups were to buy new health and safety equipment such as smoke alarms and fire blankets, followed by keeping additional records such as an accident book. For day nurseries the most common change was alterations to their premises. Most of the required changes related to health and safety issues, rather than to "quality" aspects of day care such as buying new toys and equipment or additional training for staff.

- Local authorities had generally given providers time to make the necessary changes, but less than a fifth of services had received any financial help to do so.

- The inspection process was regarded as a positive experience by between a half to two thirds of providers, depending on the type of service. Very few judged it as wholly negative, with the rest describing it as neutral or "mixed".

Equal opportunities and ethnic diversity

One aspect of regulation where the survey indicated some cause for concern was awareness of and attitudes towards equal opportunities. The Children Act broke new ground in giving local authorities the power to refuse or cancel the registration of a day care service if this did not take account of a child's religious, racial, cultural and linguistic needs, and the accompanying Guidance and Regulations refer to the need for

those working with young children to value and respect diversity in a multi-racial society so that all children develop positive attitudes towards such differences (paragraph 6.10).

However in the survey a third of childminders and around a half of playgroups and day nurseries said that the issue of equal opportunities was not discussed with them when they were registered or inspected. Providers were asked what they thought about the emphasis on equal opportunities and ethnic minority children by social services; about a half thought this had been "about right" and most of the rest said they did not know, but a sizeable minority (including a quarter of playgroups) thought that there had been too much emphasis on the issue. When asked for additional comments, the most common responses were that they treated all children the same, that the issue was not relevant in a predominantly white area, and that focussing on the subject creates problems.

The proportion of families from minority ethnic communities living in Wales is low (less than 2% of the population in all counties except South Glamorgan with 4.8%, according to the 1991 Census). The majority of childminders and playgroups in the survey reported that they currently had no children from minority ethnic groups attending (only 8% of childminders and 25% of playgroups with at least one such child currently using their service, although this rose to 60% of day nurseries). However all day care services need to challenge prejudice and to foster a positive approach to differences between children. Assessing attitudes and helping providers develop such awareness was the aspect of regulation about which inspection officers expressed the least confidence, and the research demonstrated a continuing need for training and support in this area, for both providers and officers.

Summary

The revised system of registration and inspection introduced by the Children Act has created a new opportunity for statutory and voluntary sectors to work together to improve the standard of services for young children. The initial fears and worries expressed by day care providers about the effects of regulation under the Children Act have largely been allayed, although a significant number of day nurseries remain concerned about registration requirements. There is widespread support for the principle of regulating independent day care and a perception on the whole that it has been carried out fairly and in a supportive way, and in fact has frequently been a positive experience.

Most providers have made some changes to their service as a result of registration and inspection, generally fairly minor changes in the areas of safety and hygeine, and both officers and childcare organisations report increased awareness of quality issues and the importance of training. Some difficulties remain however, especially in relation to developing equal opportunities awareness and practice, assessing "fitness" to care for young children, using legal procedures against unsatisfactory services, and finding the resources to give providers the practical and financial support that would assist them to offer a good quality service.

8 How has the power to provide training and support been exercised?

Background

The Guidance and Regulations accompanying the Children Act acknowledge that "working with young children is demanding and complex, and caregivers require a wide range of skills in order to provide good quality services" (paragraph 6.4). Local authorities are given a *power* to provide support, training and advice to individual day care providers, but there is no statutory duty on them to do so. However the issue of training and support is particularly important in the field of day care, where large numbers of often poorly qualified providers may be offering a service to children at a particularly important stage of their development. Such providers are also facing increasing demands and expectations, for instance to meet children's educational needs and to support families at a time of rising poverty and family breakdown.

How is support provided?

Support can be delivered in a variety of ways: directly by the local authority (either through dedicated support posts, or through including the support of day care in the job of inspection officers), or indirectly through funding voluntary and private associations to organise support and training for their members. It can also encompass a number of levels. At one extreme, supporting day care could mean providing the conditions (including financial resources) for all services to thrive, as in some other European countries; at the other, it could mean no more than trouble-shooting when a service is in difficulties to ensure minimum standards. In-between, local authorities might choose to target support at certain providers, for instance those taking children referred by social workers or with special needs; or they may aim to offer some advice, training and support (but probably not financial backing) to all services.

In Wales, all local authorities provide some support (in the form of visits and advice from registration and inspection officers) to day care services which are giving cause for concern. At the time the research was carried out, half of authorities were offering specific training and support to selected childminders who were used to support families in difficulty. None could be described as offering extensive support and training to all independent day care services, but every authority did allocate some resources for this work, ranging from the very limited (a small grant to a playgroup organisation) to the more extensive (a member of staff with a specific brief to support and develop day care services).

Three local authorities had a dedicated post (an under fives or under eights coordinator or day care development officer), whose job included developing an infastructure of support and training for day care services across the county, and a fourth authority gave a grant to the early years forum to employ development officers to undertake this work.

More commonly, support was undertaken as part of the job of registration and inspection officers, either formally (in four authorities such staff described it as an official part of their job) or informally (staff said they offered some support even though it was not a formal part of their work).

The advantages of combining the tasks of inspection and support have already been discussed (chapter 6), and inspection officers frequently pointed out that the inspection process itself was a form of support and advice. However, the widely varying levels of staffing, and the fact that no authority had a formula for allocating resources to support and development work, created a tension between carrying out statutory duties and offering discretionary training and support. In five of the eight Welsh authorities, social services officers were unable to make regular visits to day care providers between annual inspections, visiting only if there was a problem or change of circumstances. The majority of registration and inspection officers said that they were unable to provide adequate support and training themselves for independent day care providers.

In these circumstances, the role of voluntary childcare organisations becomes particularly important. Membership of voluntary organisations is high among child care providers in Wales; the survey indicated that 88% of playgroups in the survey belonged to Wales Pre-school Playgroups Association (Wales PPA) or *Mudiad Ysgolion Meithrin* (MYM) and 81% of childminders to the National Childminding Association (NCMA), while 45% of day nurseries were members of Wales PPA or MYM and 15% had joined an association for private day nurseries. These membership rates were higher than those found in the parallel survey in England (Moss et al 1995).

Much of the support offered by voluntary organisations was in the form of training courses, but they also employed fieldworkers to visit providers, organise equipment loan and bulk buy schemes, and offer advice. Since the Children Act, new posts have been created to support two groups of providers who previously received little attention: childminders and out-of-school clubs. These posts took the form of partnerships between voluntary organisations (NCMA and *Clybiau Plant Cymru*/ Kids Clubs Network) and local authority departments, and were funded under specific schemes for a fixed period of time.

Playgroups received support and training both before and after the Children Act from the two playgroup associations, Wales PPA and MYM. However there had been little or no increase in their grants since the Act, and county representatives of these organisations reported that the effectiveness of the support they could offer was limited by the difficulty of finding and retaining support workers on very low wages, and of meeting an increased demand for training courses without a corresponding increase in income. All voluntary child care organisations at the time of the interviews faced uncertainty over future funding after the transition to unitary authorities, which threatened their ability to function as a source of support and training for independent day care services.

Day care providers' views on support

The survey showed that the majority of playgroups, childminders and day nurseries across Wales did feel they had someone they could turn to for advice and support, either in the local authority or a voluntary organisation. Only 5% of playgroups and 11% of childminders thought they had no-one to offer support, although this rose to a quarter of day nurseries. However the Children Act did not appear to have had a noticeable impact in this area; three quarters of the day care providers in the survey with pre-Children Act experience, thought there had been no change in levels of support. Childminders had experienced the greatest improvement, with about a third saying support was better both from the local authority and from other organisations such as the NCMA, which probably reflects both the low priority given to childminding before the Act, and the subsequent introduction of childminding service manager posts and pre-registration courses in most counties.

Day nurseries were the least satisfied with a number of aspects of support. Whereas about three quarters of childminders and playgroups were happy with their opportunities to meet with other day care providers (and nearly half of childminders reported attending a local childinding support group), nearly half of day nurseries would have welcomed more such contact. While the majority of providers thought that social services were "readily accessible" by phone, day nurseries were less likely to say this (68%) than were childminders (84%) or playgroups (80%).The growth of private day nurseries is a relatively recent phenomenon in Wales and the infastructure for support and training offered by longer established playgroup and childminding organisations has yet to develop. At the time the research was carried out, there was no national association for private day nurseries in Wales, and only two local associations. The location of day nurseries within the private market may also have raised doubts within local authorities about the appropriateness of funding support and training, although in fact the survey showed that most private day nurseries in Wales are not large profit-making enterprises or chains but small businesses, with two thirds managed by their owners and a quarter run in the owner's own home. It could be argued that day nurseries have a particular need for support and training, because children often attend for long hours, and start at a young age (nearly all the nurseries in the Welsh survey had a child under two, and over three quarters had a baby under a year old - twice the rate found in the English survey: Moss et al 1995).

Training for private day nurseries

South Glamorgan Day Care Advisory Group organised threeSaturday seminars for staff working in private day nurseries, focussing on preschool education, the needs of children under three, and equal opportunities. Private nurseries showed a great deal of enthusiasm for the course, and there were over 300 applications for 90 places. A key feature of the training was that it brought together education and day nursery staff, with nursery headteachers giving up their Saturdays to contribute, and it opened up the possibility of exchange visits between staff working in different sectors. A small fee was charged for the course, which was also subsidised by income from registration and inspection fees.

The other group of providers whose needs for support were less well met, was those

taking children placed and paid for by the local authority. Most reported receiving some extra help for their sponsored children, especially playgroups under the special needs referral schemes. However around half of this group of providers felt that they had needed more support, in particular better information and contact with social services and other professionals.Training and support were more likely to be offered when providers were part of an organised scheme for placing children in community day care, than when children were placed on an informal basis by area social workers.

> *"The support was okay for special needs children but we wanted more details and information about the background of "at risk" children, and more support. We could deal with the children better if we knew more about them"* (playgroup taking referred children)

Training

Training is one specific aspect of support, and in this area there does appear to have been an improvement since the Children Act. Whilst they were unlikely to have noticed a change in general levels of support, the majority of day care providers in the survey who had pre-Children Act experience (and hence could comment) thought that training opportunities had improved or increased in the period since the Act, especially playgroups and childminders. Not all of this improvement can be attributed directly to the Children Act, since some training initiatives were planned before the Act and others were stimulated by schemes such as the Out of School Child Care Initiative. The main impact of the Children Act was to heighten awareness of the need for training.

What was clear was the significant role that voluntary organisations have played in extending training opportunities since the Children Act. For example, Play Wales has developed a national strategy for the education and training of playworkers, a hitherto neglected group. *Clybiau Plant Cymru*/Kids Clubs Network has employed a national training officer in addition to local development officers, to focus on the training needs of those working in out-of-school care schemes. The playgroup organisations have introduced new courses to upgrade existing training, and have made the special needs training course "Playing Together" available to their members. The National Childminding Association has produced a training pack to support childminder training, and childminding service managers have worked with local authority officers to develop

Gwent Under 8s Network

The Gwent Under 8s Network was set up by the education authority's Under Fives Coordinator to provide a means of exchanging information and sharing expertise between those involved with services for young children in different agencies. A key function of the Network is to offer training and support through drawing on the resources of members. For example the Network has carried out an audit of the various sources of training available for under eights workers across the county, leading to a programme of multi-agency training days using each others' experience. The Network has also encouraged the sharing of curriculum materials, and has been developing a statement of common goals, guidelines and curriculum for early years services. This joint training and mutual support has been made possible by the trust which has built up between Network members over time.

pre-registration courses for childminders, which by the beginning of 1995 were available in five of the eight Welsh counties. The majority of local authority officers also reported spending more time on running or contributing to day care training, mostly through pre-registration courses for childminders and specialised training for those involved in community childminding schemes.

One of the most positive developments has been the growth of joint training initiatives to assess and meet the needs of day care providers, although the training of those working in early years education and those working in day care services remain largely separate. Most local authorities now have an interagency day care training group, or a sub group of a children and family forum which looks at training issues, and several have carried out surveys of training needs and/or audits of the training offered in their county by different agencies. Most of the progress in training and support for day care providers since the Children Act had been achieved through joint working between statutory and voluntary agencies, including TECs and further education colleges.

Training Needs Audit

In Powys, a Quality and Training in Day Care Forum was set up in late 1993 to identify the training needs of day care providers and how they could best be met. The group included representatives from Powys TEC, the training agencies and further education colleges, as well as local authority departments (including the social services registration and inspection unit), childcare organisations and private day nurseries. A working group with representatives drawn from different sectors carried out a survey of all childcare providers in the county, including nursery assistants in schools and family aides. The survey collected information on the providers' level of training and the kind of courses they would like to attend, including preferred location, length and language. Following this report, the group produced a bilingual booklet "Training for Childcare", listing the different training opportunities available in the county, and an action plan for developing training and seeking sources of funding.

Although opportunities for training have improved, there is still an unmet demand. Two thirds or more of the providers in the survey said they would like more training, either for themselves of their staff. The training most frequently mentioned by childminders was in first aid, while playgroups most commonly asked for training to help them include children with special needs, and day nurseries wanted advice on the management and business side of running a nursery. Courses in child development and play activities were also mentioned by all three groups. Day care providers could see the benefits of training (nine out of ten who had attended a training course said this had been useful), but over half had experienced difficulties in finding or attending training courses, ranging from 50% of playgroups to 62% of day nurseries. These difficulties included the timing of courses, the lack of cover to release staff or care for minded children, transport and cost. Cost remains a significant obstacle to training for low paid childcare workers, especially expensive qualifications such as NVQs

Summary

The Children Act has focussed attention on the issue of training for day care providers, and led to better information about training needs and available courses. Local authorities are increasingly working in partnership with voluntary organisations and other agencies to develop training, and more courses are being offered, although a number of difficulties remain to do with access and cost.The lack of clear local authority policies on the support to which independent day care services should be entitled has meant that support and training are in many cases an optional extra, rather than an essential part of raising standards.

9 Conclusion

Increased attention is being paid to services for children under eight. The last five years have seen the publication of several reports highlighting the benefits of good preschool provision, most recently by the Audit Commission (1996). There is a growing awareness of the role of early years services as a form of family support, and there is an acknowledgement in the UN Declaration on the Rights of the Child and in the European Union's Recommendation on Child Care (adopted by the British government in 1992), of the right of all children to services that promote their development and well being. Recent initiatives such as the voucher scheme for four year-olds also reflect this heightened interest in the early years. Within this context, what has been the impact of the Children Act?

The Children Act has achieved some worthwhile and positive improvements in services for children aged under eight in Wales. It has raised the profile of day care and provided more information about the availability and need for services through the mechanism of the Section 19 Review. It has resulted in better communication and closer working between local authority departments and between local authorities and the voluntary sector, and given an impetus to the development of under eights forums and networks. The Act has focussed attention on important issues such as equal opportunities and the importance of training for day care workers, and introduced an improved system of regulating services which should help to raise standards. The role of day care services in providing support to children and families "in need" has been reinforced, and new approaches involving working with independent day care providers have been encouraged.

However the impact of the Children Act on the provision of early years services has been limited, both by external events and by its own terms of reference. On the one hand, its implementation occurred at a time of particularly rapid change and upheaval in local authorities, who were responding to other major pieces of legislation at the same time as the Children Act (for instance the Education Reform Act, the NHS and Community Care Act and the Criminal Justice Act), and who were about to reorganise from eight counties to twenty two unitary authorities in Wales.

But even without these external circumstances, the impact of the Children Act on the provision of early years services was bound to be limited by its own terms of reference. The Act never set out to radically overhaul the way that services for young children are viewed and delivered. It left in place the key aspects of current government policy on provision for young children: a division between services offering "care" and "education", a dependence on a "mixed economy" of services with the voluntary and private sectors playing an important role, and a restriction of the duty to provide publicly funded day care to children "in need". The Act builds on existing government policy rather than attempting to alter it. It therefore perpetuates some of the difficulties facing

services for children under eight before the Act, and these have limited its impact:

- The profile of day care has been raised, but it remains a low status activity, and hence a low priority for resources when local authority finances are under pressure.

- Coordination of services for young children is hindered by the continued divisions, both conceptual and administrative, between services offering care, education and welfare, and by the introduction of schemes and initiatives in a piecemeal way rather than as part of an overall strategy for the early years.

- Increased expectations are placed on providers of day care services in the voluntary and private sector (for instance to raise standards, participate in multi-agency planning meetings, provide places for children in need) without a concommitant increase in support to enable them to fulfil this role.

Within this overall picture of modest improvement rather than radical change in the provision of services for children under eight, individual authorities had responded to the day care aspects of the Children Act to differing extents, depending often on the culture and attitudes that existed within each authority before the Act. The most progress had generally been made where early years services were already seen as important, and the legislation was regarded as an opportunity to build on that. Where day care had been a low priority before the Act, there had been little shift towards a more proactive role in developing services for all children or creating an infrastructure that would support day care and improve quality.

A national policy on early years services backed by resources would resolve some of the tensions which the Children Act is unable to address, such as balancing cost and quality, universal services and family support, education and care. In the absence of such a policy, the research highlights the importance of key individuals and a commitment by senior officers and elected members to early years services, if local authorities are to use the framework created by the Children Act to develop and improve provision for young children.

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Appendix 1: National voluntary child care organisations consulted

Barnados

Chwarae Teg

Clybiau Plant Cymru/Kids Clubs Network

Homestart

Mudiad Ysgolion Meithrin

NCH (Action for Children) Cymru

National Childminding Association

Play Wales

Save the Children (Wales)

Special Needs Advisory Project

Standing Council of Voluntary Organisations

Wales Pre-school Playgroups Association

Welsh Women's Aid

Appendix 2: Publications from the TCRU Children Act projects in England and Wales

Books, Reports and Working Papers

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Price £2.00

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